

IN THE UNITED STATES COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

TEXAS TRIBUNE, MANO AMIGA, and
CALDWELL/HAYS EXAMINER,
Plaintiffs,

V.

CALDWELL COUNTY, TEXAS, TREY
HICKS, in his official capacity as Caldwell
County Court at Law Judge and Caldwell
County Magistrate,

MATT KIELY, SHANNA CONLEY,
ANITA DELEON, and YVETTE MIRELES,
in their official capacities as Caldwell County
Justices of the Peace and Caldwell County
Magistrates, and

MIKE LANE, in his official capacity as the Sheriff of Caldwell County,
Defendants.

Civil Action No. 1:23-cv-910

AGREED MOTION FOR ENTRY OF
CONFIDENTIALITY AND PROTECTIVE ORDER

In accordance with Federal Rule of Civil Procedure 26(c), Defendants Caldwell County, Texas, the Honorable Trey Hicks, in his official capacity as Caldwell County Court at Law Judge and Caldwell County Magistrate, the Honorable Matty Kiely, the Honorable Shanna Conley, the Honorable Anita DeLeon, and the Honorable Yvette Mireles, in their official capacities as Caldwell County Justices of the Peace and Caldwell County Magistrates, and the Honorable Mike Lane, in his official capacity as the Sheriff of Caldwell County, (hereinafter “Defendants”) file this agreed motion for entry of the attached Confidentiality and Protective Order to protect certain confidential and proprietary information included in documents the parties need to produce and/or included in the inspection of property by Plaintiffs including but not limited to any written

documentation, videos and photographs that may support their claims and defenses in this case. In support of this request, Defendants show the Court as follows:

Attached as Exhibit 1 to this Motion is the Western District of Texas's form Confidentiality and Protective Order ("Order"). The Order will allow the parties to: (1) produce any confidential and/or proprietary documents responsive to outstanding discovery requests; (2) permit entry onto property of Caldwell County, Texas, including the creation of documents, videos and/or photographs during the requested inspection; and (3) protect those documents from dissemination to third parties, other than qualified persons outlined in the Order, and allow such documents and information to be used as needed by both parties in this lawsuit. The Order does not seek to preclude any discovery but only to establish confidentiality over certain kinds of documents. It also allows a mechanism for challenging the designation of documents as confidential and a way to handle confidential documents that must be used for pre-trial hearings and at trial.

The Court has broad discretion to enter a protective order. *See Seattle Times Co. v. Rhinehart*, 467 U.S. 20, 36 (1984). Therefore, the parties respectfully request that the attached Confidentiality and Protective Order be entered and that such Order govern the handling of documents classified as confidential or proprietary by the parties to this lawsuit.

PRAYER

For the foregoing reasons, Defendants, as agreed by Plaintiff, requests that the Court enter the Confidentiality and Protective Order in the form attached as Exhibit 1.

Respectfully submitted,

/s/ J. Eric Magee

J. Eric Magee

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CERTIFICATE OF CONFERENCE

I hereby certify that I have presented the attached Confidentiality and Protective Order to counsel of record who confirmed by email his consent to entry of same on February 5, 2025.

/s/ J. Eric Magee

J. Eric Magee

CERTIFICATE OF SERVICE

I hereby certify that on this the 5th day of February 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to each counsel of record listed below.

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**Application for Admission Pro Hac Vice Forthcoming*

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/s/ J. Eric Magee

J. Eric Magee